

REMARKS

Claim 4 is the only pending claims. Claims 1-3 and 5-6 are cancelled by way of this Amendment.

IDS

The Examiner has not returned the initialed PTO/SB/08 filed with the Information Disclosure Statement on **January 8, 2003**. Applicants respectfully request the Examiner to acknowledge receipt and return the initialed PTO/SB/08 with the next Office Action.

Claims

Claims 1 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shigemura (6,753,140) in view of newly cited Takuzo (JP 59-159109).

Claims 2, 3, 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shigemura (6,753,140) in view of Takuzo (JP 59-159109), and further in view of Tsunekatsu (JP 06-123077).

Analysis

Claim 4 is directed to a method of producing a polarizer in which two protective films are stuck to opposite surfaces of a polyvinyl alcohol polarizing element. The two protective films are stuck under the condition that the polarizing element has a moisture content of no more than 15% by weight, and the moisture permeability of the protective films is 5 to 300 (g/m²·24h) at 40°C × 90%R.H. Applicants note that the moisture permeability of the protective film has been corrected from “g/cm²·24h” to -- g/m²·24h -- to correctly reflect the examples in Table 1 of the specification. Since this unit is used in Table 1, no new matter is being added.

Shigemura discloses that the protective film should have a moisture content of less than 2.5%, but fails to teach or suggest the moisture content of the polarizing element.

Newly cited Takuzo discloses a water absorptivity of a polarizing film is not larger than 8%.

However, even if these references were combined, there is no teaching or suggestion of a method step of laminating protective films with the claimed moisture permeability on a polarizing element with the claimed moisture content to manufacture a polarizer.

The Examiner relies on Tsunekatsu for teaching the moisture permeability of a protective film. In particular, the Examiner relies on the teaching that a water-proofing polyester layer coating is capable of having the claimed permeability. However, Tsunekatsu is directed to coating a textile cloth with a solution of polyurethane, which is non-analogous art with the other cited references and present invention. Thus, one would not have been motivated to modify Shigemura and Takuzo in view of Tsunekatsu. Moreover, the permeability disclosed in Tsunekatsu is not the same as that recited in claim 4. Thus, this reference does not teach that the polyester layer in Shigemura has the claimed moisture permeability.

In view of the foregoing, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claim 4.


AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/033,893

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ellen R. Smith
Registration No. 43,042

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 29, 2003

Attorney Docket No.: Q67967